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BECHTEL & COLE
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BECHTEL & COLE
CHARTERED
ATTORNEYS AT LAW
SUITE 250
1901 L STREET, N.W.
WASHINGTON, D.C. 20036
TELEPHONE (202) 833-4190

PVN Ex. 5

73-135/

TELECOPIER
(202) 833-3084

ANN C. FARHAT
ADMITTED MICHIGAN ONLY

December 13, 1993

RECEIVED

DEC 13 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

By Hand Delivery

The Honorable Edward Luton
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W., Room 225
Washington, D.C. 20554

Dear Judge Luton:

Re: In re Applications of The Petroleum V. Nasby Corporation
MM Docket No. 93-135

Enclosed is an amendment to the application of The Petroleum V. Nasby Corporation ("Nasby") (FCC File No. BTCH-921019HX), for transfer of control of Station WSWR(FM), Shelby, Ohio. The amendment is being tendered to correct and clarify information previously stated in the application relative to the prior ownership interests of Thomas L. Root, which clarification results from further review of the records of the corporation in the course of the preparation of answers to interrogatories and the preparation of the stipulations of fact reached by the Mass Media Bureau of the Federal Communications Commission and Nasby (Joint Exhibit #1).

Undersigned counsel will proffer the amendment (and this cover letter) at the hearing session to be included with proposed Mass Media Bureau Exhibit #11 (pages 75 through 79) or as PVN Ex. 5 (pages 1 through 5).

Sincerely,

Ann C. Farhat

Ann C. Farhat

Counsel for The Petroleum
V. Nasby Corporation

cc by hand: Y. Paulette Laden, Esquire
Hearing Branch, Mass Media Bureau

William F. Caton, Acting Secretary
Federal Communications Commission

Federal Communications Commission

Docket No. 93-135 Exhibit No. 5

Presented by PTN

Disposition { Identified 12/14
Received 12/14
Rejected _____

Reporter BARBARA LORD

Date 12/14/93

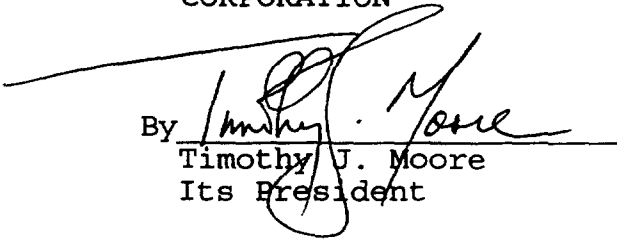
BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In re Application of)	MM Docket No.	93-135
)		
THE PETROLEUM V. NASBY CORPORATION)	File No.	BTCH-921019HX
Shelby, Ohio)		
)		
For Transfer of Control)		
of Station WSWR(FM))		

AMENDMENT

The above-referenced application is hereby amended to include the attached Exhibit A (REVISED) and to correct the response to question 6 (Part I - Transferor) at page 1 of FCC Form 315 by substituting a revised page 1 of FCC Form 315. These corrections are the result of further review of the records of the corporation in the course of the preparation of answers to interrogatories and the preparation of the stipulations of fact reached by the Mass Media Bureau of the Federal Communications Commission and The Petroleum V. Nasby Corporation.

THE PETROLEUM V. NASBY
CORPORATION

By 
Timothy J. Moore
Its President

December 13, 1993

APPLICATION FOR CONSENT TO TRANSFER OF CONTROL OF CORPORATION HOLDING BROADCAST
STATION CONSTRUCTION PERMIT OR LICENSE
(Carefully read Instructions before filling out Form — RETURN ONLY FORM TO FCC)

GENERAL INFORMATION

Section I

Part I — Transferor

1. Name of Transferors Thomas L. Root and Kathy G. Root, and Thomas L. Root, Custodian for
c/o Kathy G. Root Thomas P.J. Root and Leslie J.L. Root

Street Address

City

21 MAPLE STREET NORWALK

State

Zip Code

Telephone No.

OH

44857

(include area code)

419/ 668-0983

2. Authorization held by corporation whose control is to be transferred

a. Call Letters

Location

WSWR (FM)

Shelby, OH

- b. Has the station commenced its initial program tests within the past twelve months?

☐ YES ☒ NO

If yes, was the initial construction permit granted after comparative hearing?

☐ YES ☐ NO

If yes, attach as Exhibit No. the showing required by Section 73.3597.

3. Call letters of any Remote Pickup, STL, SCA, or other stations held by corporation whose control is to be transferred:

4. Attach as Exhibit No. A a copy of the contract or agreement for transfer of control of the licensee. If there is only an oral agreement, reduce the terms to writing and attach.

5. Attach as Exhibit No. B a full narrative statement as to the means by which transferor has control over the licensee and the manner by which control over licensee is being transferred.

6. Stock holdings of transferor in licensee:

NAME OF TRANSFEROR	INTEREST HELD		LICENSEE'S TOTAL SHARES OUTSTANDING	
	BEFORE TRANSFER Shares %	AFTER TRANSFER Shares %	BEFORE TRANSFER	AFTER TRANSFER
Thomas L. Root	220.25 44%*	0 0 %	500	450 (50 shares returned to corp. as treasury shares on 6/1/89)
Thomas L. Root, Custodian for Thomas P.J. Root and Leslie J.J. Root	50.00 11.10%** (10% out of 500 shares issued and out	0 0 %	* out of 500 shares of Nasby issued and outstanding stock	
Kathy G. Root	58.00 12.9 % **	33 7.3 %**	** out of 450 shares of Nasby issued and outstanding stock	

Exhibit A (REVISED)

Certain shares of The Petroleum V. Nasby Corporation ("Nasby") stock held by Thomas L. Root (70.25 shares) are being transferred pursuant to the terms set forth in the attached letter of Thomas L. Root to Thomas F. Root dated June 23, 1989 wherein Thomas F. and Joanne L. Root agreed to purchase the shares of stock for consideration in the amount of \$28,000, which has been paid.

On May 31, 1989, Thomas L. Root transferred 50 shares of Nasby stock held by him as custodian for his minor children as gifts to his minor children (Kathy G. Root is custodian for the benefit of minor children Thomas P.J. Root (25 shares) and Leslie J.L. Root (25 shares)). On June 1, 1989, Thomas L. Root transferred 100 shares of stock he held individually as gifts to his minor children (Arlene M. Geer is the trustee of 100 shares of Nasby stock for the benefit of Thomas P.J. Root (25 shares), Leslie J.L. Root (25 shares) and Travis S.C. Root (50 shares), the minor children of Thomas L. and Kathy G. Root). On June 1, 1989, 50 shares of Nasby stock individually owned by Thomas L. Root were transferred by him to the licensee corporation for retirement of a corporate debt which he previously assumed. The stock is being held in treasury and will be available in the event Timothy J. Moore exercises his option pursuant to an Option Agreement dated December 31, 1989 (attached as part of Exhibit 3 to transferee's section).

On June 1, 1989, Kathy G. Root, the spouse of Thomas L. Root, transferred 25 shares of Nasby stock individually owned by her as a gift to her minor child, Travis S.C. Root (shares previously transferred by Thomas L. Root to Kathy G. Root who then transferred

the shares which Arlene M. Geer holds in trust as part of the 50 shares she holds for the benefit of Travis S.C. Root), leaving Kathy G. Root with 33 shares of Nasby stock owned by her individually (representing 7.3% of the total issued and outstanding stock of Nasby (450)) and the above-mentioned 50 shares of Nasby stock held by her as custodian for her minor children (representing 11.1% shares of the total issued and outstanding stock of Nasby (450)).